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EXAMINER

FERRIS, DERRICK W

ART UNIT

PAPER NUMBER

2663

DATE MAILED: 12/17/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/655,659

Applicant(s)

RADULOVIC, ALEX

Examiner

Derrick W. Ferris

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 September 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Applicant claims priority to U.S. patent application 08/585,628 filed 01/16/1996 titled "Voice Internet Transmission System" (see WO 97/29581) and U.S. patent application 08/599,238 filed 02/09/1996 titled "Facsimile Internet Transmission System" (see WO 97/26753) to C-I-P application 09/655,659 titled "Private IP communications network architecture". In summary, the examiner only recognizes priority with respect to claim 25 since claim 25 recites subject matter related to a telephone which is found outside of an appcenter100 (see application's figure 1). Examiner's reasoning for why the remainder of the claims is not given priority is as follows.

In general, none of applicant's figures in the parent applications (08/585,628 and 08/599,238) are found in the child application (09/655,659) such that the examiner considers the subject matter found in each of the drawings of the child application new matter. Furthermore, applicant in the child application makes no clear distinction on what is new subject matter. In general, applicant claims a hybrid VoIP signaling protocol (in relation to H.323 and SIP) called IMCP. In particular, as shown in figure 1, a communications engine (CE) 50 (i.e., gateway or equivalent) uses IMCP to communicate with a central arbitration server (CAS) 40 which in-turn communicates to a destination communications engine 50 where the communication takes place over both a control path and data (i.e., real-time) path. Applicant's parent applications fail to at least disclose a central arbitration server (CAS) and furthermore fail to disclose both a control path and data (i.e., real-time) path. Thus although applicant claims a fax and voice gateway (i.e., communications engine 50), examiner notes that the prior gateways do not function the same and

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thus are unique and distinct. Furthermore, examiner notes that in fact applicant's parent applications teach away from the use of a central arbitration server (e.g., see page 13, lines 1-10 of WO 97/29581 which is 08/599,238). Thus with respect to figure 1, the examiner has given priority to any device that falls outside of the dashed lines showing the appcenter 100 which includes a telephone as recited in claim 24. Thus the limitations recited in claims 1-23 and 25-27 were not given priority.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. **Claim 14** is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. In particular, for claim 14 the examiner notes three items of issue with respect to a label as recited in the claim.

For the first item, applicant is silent or deficient on how value-name pairs are implemented with respect to the IMCP protocol (i.e., labels with respect to the recited claimed subject matter). In particular, applicant discloses the following on page 21, lines 7-15:

The IMCP-RT is a lower overhead protocol designed to also carry information about the data it carries. If more than one frame is destined for the same destination, the IMCP layer will combine all the frames into a single UDP packet (or multiple packets in the case of a large number of connection packets.) This can reduce the network bandwidth up to 40% and more in a real world environment. The frames within the packet are also labeled with their content data type, such as voice, DTMF tones,

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facsimile, background noise, digital data, modem, silence, or other data type. This labeling allows the end device to process the frames without further analysis. A conferencing server would ignore packets labeled as silence or background noise since there would be no need to add this data to a conference call.

The control portion of the IMCP is a text-based protocol. All the data is sent as a value-name pair. This allows for extensible messages that need not carry all the optional fields if they are not used. It also allows for devices using different versions of the protocol to use the same packets if the higher version device has backward compatibility. Higher-level protocols, such as the call control, are implemented as a set of IMCP messages.

Thus applicant discloses that the IMCP method uses a text-based protocol for the control portion. Notability absent from the above passage is how the real-time/data portion is implemented which is also addressed later in the rejection as the second issue. In particular, all the values are transmitted as a value-name pair. Applicant clarified the context of the value-name pair in the preceding pages by disclosing the differences between IMCP and SIP at page 18, line 14 – page 19, line 17 as shown below.

“In addition to supporting the most important features required by high quality telephony call setup, IMCP outperforms the basic requirements in some important aspects. For example, IMCP features fast setup time where multiple events are handled in the same message. Fast setup provides call setup times equivalent to or better than PSTN setup time. The faster call setup is due in part to the fact that VoIP network signaling is only performed at the end points and not at every switch along the call path. Additionally, the complexity required from an IMCP terminal is minimal. Low complexity minimizes the load requirements to process call setup, thereby allowing IMCP devices to be simple embedded devices. In this respect IMCP is similar to the SIP protocol, in that IMCP messages are text based and do not require special compilers or field allocation as in H.323 with ASN.1. While the text-based approach does require higher bandwidth, the complexity reduction during call setup outweighs this tradeoff. In fact, the overall higher bandwidth generates an insignificant amount of data when compared to the real-time payload data being transmitted in the overall scheme of the architecture. Another advantage of IMCP is the broad range of PSTN support available. As the basic IMCP call setup procedure is compliant with the Q.931 state machines, the interface to traditional PSTN networks is relatively straightforward. This also improves the integration time of new servers using off the shelf hardware and software components into the network. Yet another advantage of the text based IMCP is the inherent support for new message types. As the IMCP message format is text based, there are no coding

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limits and compatibility issues when new messages or message types are added, additional text fields are easily ignored. Finally, IMCP is the base protocol, so there are no lower layer protocols required. IMCP does not specify a lower layer protocol. Unlike SIP, which runs on top of the HTTP protocol, or the H.323 that requires an ASN.1 compiler and SSL, IMCP is simply integrated on top of the well-known TCP/IP and UDP/IP protocols. This feature allows IMCP quick and efficient integration to any device using a standard C compiler. Note that the IMCP call setup can be generalized to any IMCP device, whether it is a PSTN gateway (CE) or a store and forward resource. It can also be generalized to carry any type of media."

At first issue is how the value-name is implemented with respect to IMCP. In particular, applicant recites that the values-name pairs are implemented like SIP since they are text-based but they are not implemented like SIP since they do not run on top of the HTTP protocol (i.e., they do not use a URL value-name pair such as that disclosed in RFC 2806). Examiner notes the above statement to be contradictory and has search applicant's specification for further clarification on the deficiency. The examiner has not found further clarification on how such value-name pairs are implemented (i.e., applicant's specification does not solve the above-cited deficiency). For example, with respect to the fields recited in the claims, applicant discloses the following at page 21, lines 7-16:

"The IMCP-RT is a lower overhead protocol designed to also carry information about the data it carries. If more than one frame is destined for the same destination, the IMCP layer will combine all the frames into a single UDP packet (or multiple packets in the case of a large number of connection packets.) This can reduce the network bandwidth up to 40% and more in a real world environment. The frames within the packet are also labeled with their content data type, such as voice, DTMF tones, facsimile, background noise, digital data, modem, silence, or other data type. This labeling allows the end device to process the frames without further analysis A conferencing server would ignore packets labeled as silence or background noise since there would be no need to add this data to a conference call."

Absent from the paragraph above is how the packets are labeled. In particular, how the packets are integrated without using a lower-layer such as HTTP for a name-value pair. Applicant

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discloses a hybrid approach for an IMCP protocol that incorporates properties of SIP and H.323 where applicant merely recites that applicant's invention overcomes said deficiencies but does not disclose how the invention is implemented to overcome said deficiencies. Thus applicant is not in possession of the claimed subject matter since if there are no lower layer protocols to make an IMCP protocol, it is unclear how one skilled in the art would implement applicant's claimed invention using a value-named pair. For the purpose of making the 102/103 rejection(s) below, the examiner assumes that it would have been obvious to one skilled in the art to implement the value-name pairs as URL value-name pairs. In particular, examiner takes the same implied reasoning provided by applicant in applicant's specification (i.e., since applicant relies on prior implementations to overcome the deficiencies) by assuming that it would have been obvious to combine certain attributes of H.323 with other attributes of SIP since both protocols are well known in the art prior to applicant's invention to make the IMCP protocol.

At second issue, is how a data path label is transported using the IMCP protocol as recited with respect to claim 14. Applicant's invention discloses the following:

"The IMCP protocol has two primary data activities: real time and control. The real time portion or IMCP-data transfer is designed to carry the payload or the media packets between two IMCP devices after a successful call setup. This would be, for example, voice, fax, modem, silence, background noise, video, or other data types in the future. The control portion of IMCP-call setup is designed to carry network events (DTMF and other tones), applications, data, or private data and is illustrated in Figure 2a. IMCP-Call setup also defines the messages required to setup a call between two IMCP endpoints. The relationship of the real time portion to the control portion is illustrated in Figure 2b."

Thus applicant discloses two types of protocols: real-time (i.e., data) and control. Applicant discloses that control information (i.e., the first type) is sent using value-name pairs (see above).

Applicant is silent or deficient to how real-time (i.e., data information) is sent other than

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disclosing that labels are used. Thus it is unclear how the second type of information is sent using IMCP. Examiner notes that the second issue is related to the first issue in that this is another example of how applicant is not in possession of the claimed invention. For the purpose of making the 102/103 rejections the examiner assumes that it would have been obvious to use value-name pairs for both real-time (i.e., data) and control protocols.

At third issue is how silence/background noises are represented as a label. Support for silence/background noises is found at page 18, lines 6-13; page 21, lines 7-16; and page 24, line 18 to page 25, line 17 of applicant's specification. In particular, these sections disclose that a packet is labeled in general but does not disclose how a packet is labeled with respect to silence/background noises. Thus this is yet another specific example of how applicant is not in possession of the claimed invention since it is unclear from applicant's specification on how a packet is labeled for silence/background noises in initiating a data path. For the purpose of making the 102/103 rejection the examiner assumes a reasonable but broad interpretation of "silence/background" noises since these terms are not defined in applicant's specification.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. **Claims 1-14** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the term "service request" as found at claim 1, lines 7 and 9 does not appear in applicant's specification. Thus applicant does not clearly and distinctly define the term or its logical equivalents. The examiner has made an assumption in order to overcome the 112-second paragraph for the purpose of making the 102/103 rejections found below. In particular,

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the examiner assumes a reasonable but broad interpretation of “service request” to include, inter alia, a “LockLine” signal (e.g., see applicant’s specification on page 30, line 15). As claims 2-14 depend on the independent claim(s), these claims also stand rejected.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 1-4, 6, 9-13, 15, 16, and 21-23** are rejected under 35 U.S.C. 103(a) as being unpatentable over “Supplementary Services in the H.323 IP Telephony Network” to *Korpi et al.* (“*Korpi*”) in view of “H.323: The Multimedia Communications Standard for Local Area Networks” to *Thom*.

As to **claim 1**, *Korpi* discloses a control path connection on a network layer between individual components attached to the dispersed networks (e.g., applicant’s CE 50) and at least one central arbitration server (e.g., applicant’s CAS 40) as shown in figure 1 on page 119. In particular, a fax/voice gateway is an example of an individual component (i.e., applicant’s CE 50) and Gatekeeper Y/Router is an example of a central arbitration server (i.e., in reference to applicant’s specification on page 17, lines 1-2). In addition, a step of initiating a data path connection between the individual components designated by the service request is also shown in figure 1. Also shown in the figure is a further step of receiving a “service request” using a reasonable but broad interpretation of

“service request”. In addition, as H.323 runs on top of IP examiner notes IP as a network layer.

Korpi is silent or deficient to the further limitation of the step initiating a service level layer to supply the requested service.

Thom teaches the above-mentioned further limitation in figure 4 on page 55.

Examiner notes that it would have been obvious to one skilled in the art prior to applicant’s invention to include the further limitation of the step initiating a service level layer to supply the requested service. In particular, the *Korpi* reference would be modified to disclose initiating a service layer request based on the gatekeeper as shown in figure 4. The suggestion or motivation for doing so would have been obvious since both reference disclose setting up a call signal in general, and for H.323 in particular.

As to **claim 2**, see e.g., at least page 118 left-hand column of *Korpi*.

As to **claim 3**, see e.g., at least page 118 left-hand column with respect to gatekeeper of *Korpi*.

As to **claim 4**, see e.g., page 124, right-hand column.

As to **claim 6**, see e.g., figure 4 on page 55 of *Thom*.

As to **claims 9-11**, see e.g., figure 4 on page 55 of *Thom*.

As to **claim 12**, see e.g., figure 5 on page 55 of *Thom*.

As to **claim 13**, see e.g., figure 5 on page 55 of *Thom* and left-hand column of page 119 of *Korpi*.

As to **claim 15**, see similar rejection for claim 1.

As to **claim 16**, see e.g., figure 1 on page 119 of *Korpi*.

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As to **claim 21**, see e.g., figure 4 on page 55 of *Thom*.

As to **claim 22**, see e.g., figure 1 on page 119 of *Korpi*.

As to **claim 23**, see e.g., figure 4 on page 55 of *Thom*.

8. **Claim 5** is rejected under 35 U.S.C. 103(a) as being unpatentable over “Supplementary Services in the H.323 IP Telephony Network” to *Korpi et al.* (“*Korpi*”) in view of “H.323: The Multimedia Communications Standard for Local Area Networks” to *Thom* and in further view of U.S. Patent No. 6,529,499 B1 to *Doshi et al.* (“*Doshi*”) and U.S. Patent No. 6,504,838 B1 to *Kwan*.

As to **claim 5**, for types of data see e.g., page 52, left-hand column of *Thom*; and page 118, left-hand column of *Korpi*. *Korpi* and *Thom* are silent to the further limitation of modem data and silence/background noises. Examiner notes that it would have been obvious to one skilled in the art prior to applicant’s invention to include modem data and silence/background noises. In particular, one skilled in the art would be motivated to include modem data and silence/background noises as part of transporting voice in general since voice contains periods of silence and background noises, and modem data is transported over a voice (PSTN) link. (Examiner notes applicant only claims and supports that such information is possible to transport on a data path.) As such, *Doshi* cures the above-cited deficiency by disclosing that it is possible to transport silence/background information over an H.323/SIP network (e.g., see column 3, lines 1-42). As such, *Kwan* cures the above-cited deficiency by disclosing that it is possible to transport modem information over an H.323 network (e.g., figure 5; column 10, lines 5-24).

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9. **Claims 7 and 8** are rejected under 35 U.S.C. 103(a) as being unpatentable over “Supplementary Services in the H.323 IP Telephony Network” to *Korpi et al.* (“*Korpi*”) in view of “H.323: The Multimedia Communications Standard for Local Area Networks” to *Thom* and in further view of U.S. Patent No. 6,519,249 B1 to *Bennefeld et al.* (“*Bennefeld*”).

As to **claim 7**, *Korpi* and *Thom* are silent to the further limitation of recoding and monitoring the call control messages (i.e., billing information). Although *Korpi* does disclose that the gatekeeper supports accounting (e.g., see left-hand column on page 118), *Korpi* may be silent to monitoring and storing the call control messages. Examiner notes that it would have been obvious to one skilled in the art prior to applicant’s invention to include recoding and monitoring the call control messages. In particular, one skilled in the art would be motivated to record and monitor call detail records for the purpose of generating revenue for data on a network. As such, *Bennefeld* cures the above-cited deficiency by disclosing recording and monitoring billing information. In particular, *Bennefeld* discloses monitoring and recording with respect to a gatekeeper on an H.323 network (e.g., see at least column 1, lines 60-67).

As to **claim 8**, *Korpi* and *Thom* are silent to the further limitation of optimizing routing resources using at least, least cost routing, failure bypass, load balancing, and class or service. In particular, *Thom* teaches that QoS is generally not supported in H.323 (e.g., see page 56, left-hand column). Examiner notes that it would have been obvious to one skilled in the art prior to applicant’s invention to optimize routing resources using at least, least cost routing, failure bypass, load balancing, and class or service. In particular, one skilled in the art would be motivated to optimize a route based on the dynamic

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environment of a network. As such, *Bennefeld* cures the above-cited deficiency by disclosing that routes can be optimized by at least load balancing for a dynamic network (e.g., see at least column 1, lines 60-67; column 3, lines 12-26).

10. **Claims 14, 20, 24, 26, and 27** are rejected under 35 U.S.C. 103(a) as being unpatentable over “Supplementary Services in the H.323 IP Telephony Network” to *Korpi et al.* (“*Korpi*”) in view of “H.323: The Multimedia Communications Standard for Local Area Networks” to *Thom* and in further view of U.S. Patent Application 2001/0046234 A1 to *Agrawal et al.* (“*Agrawal*”) and “RFC 2806 – URLs for Telephone Calls” to *Vaha-Sipila*.

As to **claim 14** *Korpi* and *Thom* are silent to the further limitation of using a (text) label. In particular, since *Korpi* and *Thom* teach using H.323, *Korpi* and *Thom* teach using binary encoding instead of a (text) label (e.g., see figure 1 of *Agrawal*). Examiner notes that it would have been obvious to one skilled in the art prior to applicant’s invention to use labels since labels are supported for a SIP protocol. In particular, one would be motivated to use labels to communicate with at least a SIP network since a SIP protocol communicates using text labels. As support and motivation, *Agrawal* discloses using labels. In particular, as shown in figure 5 an IWF 100 function is capable of operating over both SIP and H.323. Thus both properties of SIP and H.323 are further taught by the reference (e.g., the reference teaches using both binary for H.323 and text labels for SIP when communicating to a gatekeeper/server). As an additional reference, *Vaha-Sipila* further builds on the concept by disclosing specific labels for a SIP network including telephone, fax, and voice information. Thus *Vaha-Sipila* further teaches the limitation of varying a call detail record based in part upon the data type (text) label.

As to **claim 20**, see similar rejection to claim 14 where examiner notes a reasonable but broad interpretation of IMCP to be either SIP or H.323 (i.e., applicant does not claim specific attributes of IMCP such as a text label running on top of or at a network layer).

As to **claims 24 and 26**, see e.g., the combined reasoning for the rejections for claims 1 and 14.

As to **claims 27**, see figure 1 of *Korpi*.

11. **Claims 17, 18, and 19** are rejected under 35 U.S.C. 103(a) as being unpatentable over “Supplementary Services in the H.323 IP Telephony Network” to *Korpi et al.* (“*Korpi*”) in view of “H.323: The Multimedia Communications Standard for Local Area Networks” to *Thom* and in further view of “C6x Solutions for Voice over IP Gateway” to *Cassing*.

As to **claim 17**, *Korpi* and *Thom* are silent to the further limitation using a digital signal processor on receiving signals to generate encoded signals at the gateway for a control path. In particular, *Thom* discloses translating call signaling but is silent or deficient to using a DSP (e.g., see page 54, left-hand column). Examiner notes that it would have been obvious to one skilled in the art prior to applicant’s invention to use a digital signal processor on receiving signals to generate encoded signals at the gateway for a control path. One skilled in the art would be motivated to use a DSP in the gateway for voice compression such as G.723.1. *Cassing* cures the above-cited deficiency by disclosing a DSP in a VoIP gateway such as an H.323 gateway (e.g., see page 76 Section 3.1). Thus *Cassing* provides support and motivation for using a digital signal processor on receiving signals to generate encoded signals at the gateway for a control path.

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As to **claims 18 and 19**, see figure 1 of *Korpi*.

12. **Claim 25** is rejected under 35 U.S.C. 103(a) as being unpatentable over “Supplementary Services in the H.323 IP Telephony Network” to *Korpi et al.* (“*Korpi*”) in view of “H.323: The Multimedia Communications Standard for Local Area Networks” to *Thom* and in further view of U.S. Patent Application 2001/0046234 A1 to *Agrawal et al.* (“*Agrawal*”), “RFC 2806 – URLS for Telephone Calls” to *Vaha-Sipila*, and U.S. Patent No. 5,471,470A to *Sharma et al.* (“*Sharma*”).

As to **claim 25**, *Korpi*, *Thom*, *Agrawal*, and *Vaha-Sipila* are silent to the further limitation of the specific structure of a telephone which includes at least a speaker and a microphone. Examiner notes that it would have been obvious to one skilled in the art prior to applicant’s invention to use a telephone which includes at least a speaker and a microphone. In particular, one skilled in the art would be motivated to use a microphone to talk into a telephone and use a speaker to listen to an incoming call as is known in the art. *Sharma* provides further support and motivation by disclosing in figure 3 a telephone (shown as 20 in figure 1) that has at least a microphone 303 and speaker 304 (e.g., see column 8).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Derrick W. Ferris whose telephone number is (703) 305-4225. The examiner can normally be reached on M-F 9 A.M. - 4:30 P.M. E.S.T.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on (703) 308-5340. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 305-3900.

Derrick W. Ferris
Examiner
Art Unit 2663

DWF 


CHI PHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600 12/11/03